

REMARKS

Applicants hereby submit new claims 11-20 as incorporated in the attached specification of the patent in compliance with 37 CFR § 1.173(d). Applicants respectfully submit that newly submitted claims 11-20 contain no new matter and constitute a clear basis for reissue and that all pending claims are patentable over the art of record. Applicants believe that the original patent, namely, U.S. Patent No. 6,477,335, claims less than they have a right to claim in the patent.

The issued claims (e.g., 1) are insufficient because they call for "A printer cartridge comprising a series of magnetic elements selected to counterbalance a series of magnetic elements on a printer." The newly added claims (e.g., claims 11, 14, and 16) claim just "a first magnetic element ... selected to counterbalance a second magnetic element on a printer." Thus, the newly added claims do not require a "series" of magnetic elements.

The issued claims (e.g., claims 1, 4, and 7) further recite "a plurality of magnetic field detecting switches located on a printer." The newly added claims (e.g., claims 11, 14, 16, and 18) claim just "a first magnetic field detecting switch located on a printer." Thus, the newly added claims do not require a "plurality" of field detecting switches.

The issued claims (e.g., claims 1, 4, and 7) further recite "a series of magnetic elements on a printer." Newly added claim 18 does not require that "magnetic elements on a printer."

The newly added claims 11-20 of the Reissue Application are specifically directed to a magnetic field detecting switch on a printer and a corresponding magnetic element on a printer cartridge for defining a printer cartridge identification code. These newly added claims are fully supported by the original patent specification (Figures 1, 2, and 3; Col. 1 line 57, to Col. 2 line 9; Col. 2 line 50, to Col. 3 line 16). Thus, proposed new claims 11-20 add no new matter to the application.

In view of the foregoing, Applicants respectfully submit that the newly submitted claims 11-20 properly set forth that which Applicants regard as their invention. Applicants further submit that the defects discussed above are properly supported by the Declarations submitted with the Reissue Application and this Preliminary Amendment, and therefore constitute an adequate and sufficient basis for reissue of the original U.S. Patent No. 6,477,335 and are allowable over the art of record. Favorable consideration of this Reissue Application is therefore respectfully solicited. Should the Examiner wish to discuss any of the foregoing in greater detail or deem that a telephone conference would advance prosecution of this application, the Examiner is invited to contact the undersigned at the Examiner's convenience at the number listed below.

Respectfully submitted,

Snell & Wilmer, L.L.P.

Dated: April 21, 2004

A handwritten signature in black ink, appearing to read 'Albin H. Gess', written over a horizontal line.

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